



REQUEST FOR QUALIFICATIONS

Bond Underwriting Services RFQ No. 2014-15-4200-00-004

DEADLINE FOR ADDITIONAL INFORMATION & CLARIFICATION
FRIDAY, AUGUST 28, 2015 @ 2:00 PM

DEADLINE FOR RESPONSE SUBMISSION
TUESDAY, SEPTEMBER 8, 2015 @ 11:00 AM

AT

CITY OF HIALEAH
OFFICE OF THE CITY CLERK
CITY HALL, 3RD FLOOR
501 PALM AVENUE
HIALEAH, FL 33010 - 4719

Each Bidder is solely responsible for ensuring that it submits its response to this Request for Qualifications at the Office of the City Clerk on or before the applicable deadline. The City of Hialeah will not be responsible for delays caused by the United States Postal Service or any other occurrence.

Copies of this RFQ Document may be obtained by contacting Angel Ayala, the Director of the Purchasing Department, at AAyala@Hialeahfl.gov.

Contact Person: Angel Ayala, Purchasing Director
Email: AAyala@Hialeahfl.gov | Phone: (305) 883-5988 | Fax: (305) 883-5871

CITY OF HIALEAH



ADVERTISEMENT
and
REQUEST FOR QUALIFICATION

Sealed Statements of Qualifications ("SOQ") in response to this Request for Qualifications ("RFQ" or "Solicitation") for bond underwriting services will only be received by the City Clerk of the City of Hialeah, in the City Clerk's office on the 3rd Floor of City Hall (located at 501 Palm Avenue; Hialeah, Florida) until 11:00 am on Tuesday, September 8, 2015, at which time the submittals will be opened by the City Clerk in the 3rd Floor conference room in City Hall, when the bidders' names will be announced and the SOQs will be delivered to the Director of Office of Management and Budget for handling. The deadline for submittal of written questions, comments, and requests for clarification concerning this RFQ shall be 2:00 pm on Friday, August 28, 2015.

Bond Underwriting Services
RFQ No. 2014-15-4200-00-004

Copies of the RFQ may be obtained at the Purchasing office, City Hall, 501 Palm Avenue, 4th Floor, Hialeah, Florida.

Each SOQ shall be submitted in a sealed envelope. The outside of each sealed envelope must clearly indicate the name and number of this RFQ (Bond Underwriting Services; RFQ No. 2014-15-4200-00-004); the bidder's name and address; and the name and telephone number of the bidder's contact person. Each SOQ shall be delivered to the City no later than the date and time specified below. SOQs received after said date and time will not be considered. No time extensions will be granted.

The vendor may withdraw, modify, or correct a solicitation that has been submitted to the City but only prior to the deadline for filing a proposal.

The City reserves its right to: reject any or all SOQs, with or without cause; waive minor irregularities with regard to the SOQs received; and determine whether the bidders are responsible, responsive, and qualified.

Advertising Date:
August 21, 2015

CITY OF HIALEAH, FLORIDA

A handwritten signature in black ink, appearing to read "Angel Ayala", is written over a horizontal line.

Angel Ayala, Purchasing Director

The City of Hialeah, Florida (hereinafter referred to as the "City"), is hereby soliciting Statements of Qualification ("SOQ") from all qualified investment banking firms that wish to provide underwriting services for the City's proposed Public Improvement Revenue and Revenue Refunding Bonds, Series 2015A and 2015B. Any investment banking firm wishing to submit a SOQ shall comply with the requirements contained in this Request for Qualifications ("RFQ" or "Solicitation") for Bond Underwriting Services (RFQ No. 2014-15-4200-00-004).

Each SOQ shall be submitted in a sealed envelope. The outside of each sealed envelope must clearly indicate the name and number of this RFQ (RFQ for Bond Underwriting Services; RFQ No. 2014-15-4200-00-004) the Bidder's name and address; and the name and telephone number of the Bidder's contact person.

Each SOQ shall be delivered to the City no later than the date and time specified below. SOQs received after said date and time will not be considered. No time extensions will be granted. Each SOQ shall be delivered to the City of Hialeah, Office of the City Clerk, Hialeah City Hall, 3rd floor, 501 Palm Avenue, Hialeah, FL 33010.

The City's schedule for this Solicitation is as follows:

Event	Date	Time
Deadline for Submittal of Written Questions:	August 28, 2015	2:00 pm
Deadline for Submittal of SOQ:	September 8, 2015	11:00 am
Evaluation of Responses:	September 2015	TBD
City's Selection of Qualified Vendors:	September 2015	TBD

(The City reserves the right to delay or modify the scheduled dates and will notify Bidders of all changes in scheduled dates.)

Copies of this Solicitation may be obtained from the Purchasing Department.

ACCEPTANCE AND REJECTION OF BIDS

The City reserves its right to: reject any or all SOQs, with or without cause; waive minor irregularities with regard to the SOQs received; and determine whether the Bidders are responsible, responsive, and qualified.

Please be advised that this RFQ is issued subject to the requirements in the City of Hialeah's Code of Ordinances. Also note that communications with the Mayor, City Council, and City Staff are restricted, as specified in Section 2.5 of this RFQ.

We look forward to your active participation in this Solicitation.

Sincerely,



Angel Ayala,
Purchasing Director

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SECTION 1
BACKGROUND INFORMATION

1.1 Introduction

The City of Hialeah, Florida (City) is issuing this Request for Qualifications (RFQ) because the City seeks to identify one or more qualified investment banking firm(s) to provide bond underwriting services for the City. The City plans to use the RFQ process to select the investment banking firm or firms that will be allowed to provide underwriting services to the City. This RFQ will not assure any chosen investment banking firm of selection for any transaction in any capacity. The City reserves the right to determine the number of qualified firms that may provide underwriting services. The City reserves its right to revise this RFQ.

1.1.1 Defined Terms

In this RFQ, the "Successful Proposer" means the firm or firms selected by the City to provide bond underwriting services for the City. A "Bidder" is a vendor that submits a Statement of Qualifications in response to this RFQ. A "Bid" or "Statement of Qualifications or SOQ" means the submission made by a vendor (i.e. all required forms and information or materials) in response to this RFQ.

1.2 Geography and Demographics

The City is the fifth largest municipality in Florida and is located in the northwest portion of Miami-Dade County. The City is approximately 23 square miles in size and it has approximately 434 miles of roadways. In Census 2010, the U.S. Census Bureau reported the total City population is 224,667. The City's General Fund Operating Budget for fiscal year 2015 is \$120 million.

1.3 Proposed Financings

The City seeks the services of an investment banking firm to provide underwriting services for the City's proposed Public Improvement Revenue and Revenue Refunding Bonds, Series 2015A and 2015B. The 2015A Bonds will fund portions of the City's 2015 and 2016 fiscal year's actuarial required contribution (ARC) payments towards its Public Employees, Police and Fire Retirement System, in an approximate par amount of \$25 million. The proposed 2015B Bonds will refund the City's current 2005A Bonds (originally issued through the Florida Municipal Loan Council) to achieve annual debt service savings, in an approximate par amount of \$22 million.

SECTION 2
GENERAL TERMS AND CONDITIONS

2.1 RFQ Documents

This RFQ identifies the information, documents and forms that a vendor must submit with its Statement of Qualifications (SOQ). All forms and documents must be executed and submitted in sealed envelopes as provided in Section 3 of this RFQ. SOQs not submitted on the prescribed forms or in the prescribed format may be rejected.

2.2 Mistakes

Vendors are expected to carefully examine this RFQ, including the documents, forms, and instructions provided in this RFQ. A vendor's failure to comply with the requirements contained herein shall not form a basis for relief from the vendor's mistakes. Each vendor shall be solely responsible for complying with the requirements contained in this RFQ.

2.3 Addenda to RFQ

The City reserves the right to issue addenda to this RFQ. It is the responsibility of each vendor to ensure that it receives all addenda before the vendor delivers its SOQ to the City.

2.4 Interpretations and Inquiries Regarding RFQ

Each vendor shall immediately notify the City if the vendor identifies any ambiguities or inconsistencies in the requirements in this RFQ. Any questions or comments concerning the intent, meaning, or interpretation of this RFQ must be submitted in writing to the City no later than the deadline identified in Section 3.5 of this RFQ. Written questions and comments may be delivered by hand, mail, e-mail or fax and must be addressed to: Angel Ayala, Purchasing Director; 501 Palm Avenue (4th Floor); Hialeah, Florida 33010; Facsimile: (305) 883-587; E-mail: AAyala@hialeahfl.gov

NO ORAL QUESTIONS WILL BE ACCEPTED BY THE CITY. NO QUESTIONS WILL BE ACCEPTED AFTER THE DEADLINE FOR SUBMITTING WRITTEN QUESTIONS.

No person is authorized to give oral interpretations of, or make oral changes to, this RFQ. Therefore, oral statements by representatives of the City shall not be binding on the City and should not be relied upon by any vendor. Any interpretation of, or change to, this RFQ will be made in the form of a written addendum to the RFQ. Any addendum will be furnished by the City to all vendors that register with the City for this RFQ. Only those interpretations of, or changes to, this RFQ that are made in writing and furnished to the vendors by the City may be relied upon.

2.5 Communications with the City and Lobbying

After the advertisement of this RFQ and until conclusion of the selection process, all communications concerning this RFQ shall be in writing and directed to the City's Director of the Purchasing Department. Vendors and their agents and employees shall not contact the Mayor, any member of the City Council, or any member of the City staff, except the Director of Purchasing, to discuss this RFQ. Notwithstanding any other provision of this Section 2.5, the imposition of a cone of silence on this RFQ shall not preclude purchasing staff from obtaining industry comments or performing market research, provided that all communications related thereto with a potential Bidder, lobbyist, or consultant are in writing or are made at a duly noticed public meeting. This cone of silence does not apply to oral presentations before selection committees, or public presentations made to the Mayor and City Council during any duly noticed public meeting.

2.6 No Contingent Fees

When a vendor submits its SOQ, the vendor must warrant that it has not employed or retained any company or person, other than a bona fide employee, agent, consultant or lobbyist working solely for the vendor, to solicit or secure its qualification through this RFQ, and that the vendor has not paid or agreed to pay to any person a fee, commission, percentage, gift or other consideration contingent upon or resulting from the results of this RFQ.

2.7 Conflict of Interest

In the SOQ, each vendor must disclose the name of any officer, director, agent, or any relative of an officer, director or agent who is an employee or official of the City. Furthermore, all vendors must disclose the name of any City employee or City official who owns, directly or indirectly, an interest of five (5) percent or more in the vendor's firm or any of its branches or subsidiaries.

A Successful Proposer will be required to warrant and confirm that:

That no person who presently exercises any functions or responsibilities on behalf of the City has any personal financial interests, direct or indirect, with the Successful Proposer.

That in the performance of bond underwriting services, no person having a conflict of interest shall be employed by the Successful Proposer. Any conflict of interest attributable to the Successful Proposer must be disclosed in writing to the City immediately upon discovery.

That the Successful Proposer is aware of the conflict of interest laws of the City of Hialeah, particularly Hialeah Code, Chapter 26, Article I and II.; Miami-Dade

County, Florida, particularly Code of Miami-Dade County, Florida §§ 2-11.1 et seq; and the State of Florida, particularly Chapter 112, Part III, Florida Statutes and agrees that it shall fully comply in all respects with those provisions.

2.8 Vendor's Non-Collusion Certification

Each vendor submitting a SOQ in response to this RFQ must complete and execute the "Non-Collusion Affidavit of Proposer" form, which is included in Section 4 of this RFQ.

2.9 No Assignment or Transfer of SOQ

An SOQ shall not be assigned or transferred without the express written consent of the City. A vendor that is, or will be, purchased by or merged with another corporate entity during the RFQ process may be disqualified as a result of such transaction. The City shall determine whether a vendor shall be disqualified in such circumstances. A vendor shall immediately notify the City if the vendor, its affiliate (e.g., parent corporation), or a third person files a notice with a regulatory agency concerning the potential sale or acquisition of the vendor, or a controlling interest in the vendor. Failure to provide such notice to the City may result in the vendor being disqualified.

2.10 Compliance with Federal, State and Local Laws

Each vendor shall comply with all provisions of federal, state, and local laws, ordinances, rules and regulations that are applicable to the services being offered in this RFQ. The vendor's lack of knowledge about the applicable laws is not a basis for relief from such laws and shall not constitute a defense against the enforcement of such laws.

2.11 Familiarity with Laws and Ordinances

The submission of a SOQ in response to this RFQ shall constitute the vendor's representation that the vendor is familiar with all federal, state, and local laws, ordinances, rules and regulations that are applicable to the services required under this RFQ. If a vendor discovers any provision in this RFQ that is contrary to or inconsistent with any law, ordinance, or regulation, the vendor shall promptly report it in writing to the City's Purchasing Director.

2.12 Equal Opportunity Employment

It is the City's policy to ensure equal opportunity for all and to prohibit discrimination against any employee or applicant for employment based on race, sex, color, creed, national origin, age, or disability. If a vendor is selected to provide services for the City, the vendor shall comply with all federal, state, and local laws applicable to the vendor's services, specifically including those covering equal opportunity employment, the Americans with Disabilities Act, and all related requirements.

2.13 No Contractual Agreement

This RFQ is designed to identify one or more qualified vendors. The City shall not be obligated to enter into a contract with any vendor pursuant to this RFQ. Further, no action will lie against the City to compel the City to execute any such contract, or to recover from the City any damages, costs, lost profits, or other expenses that a vendor may incur if the City chooses not to sign any contract under this RFQ. By submitting an SOQ in response to this RFQ, each vendor acknowledges and agrees that there is no enforceable contractual relationship unless and until the City executes a bond purchase agreement with a qualified underwriter with respect to any specific transaction, that no action shall lie to require the City to sign a contract, and that each vendor waives its claims to damages, costs, lost profits, and all other, expenses, if the City does not sign a contract with the vendor. Furthermore, the City shall not bear any costs or obligations to the underwriter or their counsel in the event a planned transaction is not completed or is not conducted on a negotiated basis.

2.14 Withdrawal or Revision of SOQ Prior to or After Opening

A vendor may withdraw, modify, or correct a SOQ that has been submitted to the City, but only prior to the deadline for filing a SOQ. A modification or correction of a SOQ may be made by facsimile or other written communications, provided such modification or correction is received by the Purchasing Director prior to the deadline set for receiving SOQs. No correction to a SOQ will be accepted unless the correction is signed or initialed by the vendor.

2.15 Acceptance or Rejection of SOQs

The City reserves the following rights and options:

- to reject any and all SOQs that fail to comply with the requirements in this RFQ;
- to reject any and all non-responsive SOQs;
- to waive minor irregularities in any SOQ;
- to reject all SOQs, without cause; and
- to issue subsequent requests for new SOQs.

The City may reject SOQs for any reason that the City deems sufficient. Among other things, the City may reject SOQs if: (a) the vendor misstates or conceals any material fact in the SOQ; (b) the SOQ does not strictly conform to the law or the requirements of this RFQ; (c) the SOQ is subject to any conditions or qualifications; (d) a change occurs that makes this RFQ unnecessary for the City.

2.16 Grounds for Rejecting SOQs

SOQs found to be non-responsive shall not be considered. A SOQ may be found to be non-responsive because, among other things, the Bidder: failed to utilize or complete the required forms; failed to provide additional information requested by the City; provided incomplete, indefinite, or ambiguous responses; failed to comply with the applicable deadlines; or provided improper or undated signatures. The City's grounds for rejecting SOQs include, but are not limited to, evidence of: collusion among Bidders; a lack of experience, expertise, or other qualifications to perform the required services; a submission of more than one SOQ by any person under the same or different names; the failure to perform satisfactorily or meet financial obligations on previous contracts; the employment of unauthorized aliens in violation of Section 274(A)(e) of the Immigration and Naturalization Act; the listing of a Bidder on the U.S. Comptroller General's List of Ineligible Companies for Federally Financed or Assisted Projects; or the listing of a Bidder on Miami-Dade County's Debarred Contractor's List. In addition, SOQs will be rejected if the SOQs are not delivered to the City's Purchasing Department on or before the date and time specified for the submittal of the SOQ.

2.17 Objections to RFQ

By submitting a SOQ, the vendor acknowledges that it has read and understands this RFQ, and fully and voluntarily accepts all of the terms and conditions set forth in this RFQ. Any objections to the terms of this RFQ must be submitted in compliance with the requirements and deadlines in this RFQ, or else such objections shall be deemed to have been waived. The deadline for the submittal of such objections is the same as the deadline for submitting written questions and comments, as described in Section 3.5 of this RFQ.

2.18 Cost of SOQ Preparation

The vendor assumes all risks and expenses associated with the preparation and submittal of a SOQ in response to this RFQ. The City shall not be liable for any expenses incurred by the vendor when responding to this RFQ.

2.19 Public Records

In accordance with Chapter 119 of the Florida Statutes (i.e., the Public Records Law), and except as may be provided by other applicable state and federal law, this RFQ and the responses thereto are in the public domain. All SOQs shall be available for public inspection and copying, except as otherwise provided under applicable law. Each vendor shall identify specifically any information contained in the vendor's SOQ that the vendor considers confidential, proprietary, or otherwise exempt from disclosure under the Public Records Law, and the vendor shall cite the specific section of the law creating the exemption for such information. The City shall have no liability to the vendor for producing or otherwise disclosing the vendor's SOQ or other documents in response to a request under the Public Records Law.

SECTION 3
SPECIAL TERMS AND CONDITIONS

3.1 Submittal and Opening of SOQs

Each SOQ shall be submitted to the office of the City Clerk before the deadline set forth in Section 3.5 of this RFQ. Each SOQ shall be submitted in a sealed envelope or container that is clearly labeled with: the name of this RFQ (RFQ for Bond Underwriting Services); the number of this RFQ (RFQ No. 2014-15-4200-00-004); the deadline for the submittal of the SOQ; and the vendor's name, address, and contact information.

Vendors are solely responsible for ensuring that their SOQs are delivered to the City Clerk before the deadline for submitting SOQs. SOQs may be delivered in person, by United States Mail, by United Parcel Service, or by private courier service. Any SOQ delivered by oral communication, telephone, electronic mail, telegraphic transmission, or facsimile transmission will be rejected. Any SOQ received after the deadline will be rejected. Any rejected SOQ will be returned unopened to the vendor.

BIDS RECEIVED AFTER THE DEADLINE SPECIFIED IN THE SOLICITATION TIMETABLE WILL NOT BE CONSIDERED AND NO TIME EXTENSIONS WILL BE PERMITTED

Each Bid must be delivered to the City of Hialeah, Office of the City Clerk, 3rd floor, 501 Palm Avenue, Hialeah, FL 33010.

The City reserves the right to postpone the date and time for opening SOQs by issuing an addendum.

Vendors may submit written questions to the City prior to the deadline for the submittal of such questions. The deadline is set forth in Section 3.5, below. The City will prepare written responses to all written questions that are submitted before the applicable deadline. The City's written responses will be issued as an addendum to this RFQ.

As noted above, oral statements by the City's representatives shall not be binding on the City and should not be relied upon by any vendor. Any formal interpretations of this RFQ and any changes to this RFQ shall be made in the form of a written addendum. Any addendum will be furnished to each vendor that registers with the City for this RFQ.

3.2 Preparation of Statement of Qualifications

Each vendor shall submit three (3) hard copies and one electronic copy on a CD, of the vendor's SOQ. The original copy of the SOQ shall be labeled "original" and the two (2) copies shall be labeled "copy". Additional copies of the SOQ may be requested by the City at its discretion.

All blank spaces in the City's SOQ forms must be filled in, in ink or typed, as appropriate. All required signatures must be manual and in ink. All corrections made by the vendor to any part of the SOQ must be initialed in ink.

Only one (1) SOQ from the firm, partnership, or corporation, under the same or different names will be considered.

SOQs by corporations must be executed in the corporate name by the President or Vice-President (or other corporate officer if accompanied by evidence of authority to sign) and the corporate seal shall be affixed and attested by the corporate Secretary or an Assistant Secretary. The corporate address and state of incorporation shall be shown below the signature.

SOQs by partnerships must be executed in the partnership name and signed by a partner or the partner's authorized representative. The title of the partner/representative must appear under his/her signature and the official address of the partnership must be shown below the signature.

Each vendor shall comply with the specifications and requirements contained in this RFQ. The City may reject any SOQ that fails to comply with these requirements. SOQs taking exception to the specifications may be rejected as non-responsive.

3.3 SOQ Format

The SOQ shall be typewritten with a font size of at least eleven (11), on 8½" x 11" white paper and limited to ten (10) total pages. Pages shall be secured by staple, cerlox binding or similar closure. All pages shall be consecutively numbered. If a form is provided and there is insufficient space for a response on a form, the response may be continued on a blank page immediately following the form. The additional pages shall be numbered the same as the form, with the addition of the letter "a", "b", "c", etc. If a form is provided and additional forms are needed, the form may be copied. The copied pages are to be numbered the same as the form, with the addition of the letter "a", "b", "c", etc.

Responses must be complete and unequivocal. In instances where a response is not required or a question is not applicable to the vendor's SOQ, a response such as "no response required" or "not applicable" shall be provided. Please refrain from submitting general marketing materials which do not explicitly respond to the questions below.

3.4 SOQ Content and Minimum Qualifications

The following paragraphs describe the information that must be provided in each SOQ. The following paragraphs describe and establish the minimum qualifications for any vendor that wishes to provide bond underwriting services for the City. The City may disqualify a vendor if the City concludes the information

provided in the vendor's SOQ is insufficient to demonstrate the vendor's capabilities and ensure the vendor's successful performance for the City.

Statement of Interest

Each SOQ shall be accompanied by a statement of interest which summarizes key points of the SOQ and signed by an officer of the firm who is responsible for committing the firm's resources. The vendor's statement of interest shall at a minimum, state that the vendor is willing and qualified to provide bond underwriting services to the City and shall also describe its familiarity with the City of Hialeah.

Statement of Organization

Each vendor must provide basic information concerning the vendor's organizational structure as it relates to municipal investment banking and the underwriting and sales of municipal bonds. Vendors must supply information that will assist the City in understanding the vendor's municipal banking services, underwriting and trading.

Proposed Project Team

Each vendor shall identify the staff and their respective experiences in providing the services sought, including identifying the team leader and why that person was selected to lead the project, that would be used by the vendor to provide bond underwriting services for the City of Hialeah. The vendor shall provide resumes for the individuals on the team including the following:

1. A senior investment banker who will assume the day-to-day and on-site responsibility for managing and supporting the City's financings.
2. The senior underwriter who will negotiate the pricing and direct the marketing of the bonds.
3. The person(s) who will be responsible for analytical work.
4. Other member(s) of the firm's public finance investment banking team assigned to the City's transactions and the specific role they can be expected to play.

Statement of Experience and Available Resources

Each vendor must demonstrate significant firm experience with pension obligation bonds and taxable securities. The information submitted in response to this section shall also serve to determine the vendor's ability to support the transaction through a commitment of the full resources of the vendor. Ranking charts may be included. Also, include the total number of issuances and total par value managed. Each vendor must also provide an analysis of the challenges or considerations when issuing pension obligation bonds. The vendor should also provide detailed information addressing each of the following:

1. The vendor's credit approach. How many and which agencies would the vendor propose to engage in a review of the City's credit?
2. Discuss any elements that differentiate the vendor's ability to provide the City with the most efficient plan of finance, such as combining a public offering with a direct placement or bank loan supported with the vendor's balance sheet, or any internal groups capable of supporting the transaction pricing by placing an anchor order at or below primary market levels.
3. Discuss the vendor's willingness to support the pricing process, including a commitment to underwrite unsold balances. State the vendor's commitment specific to this financing.
4. Provide the vendor's net capital before haircut as of 2015. State the amount of capital committed to municipal finance.
5. Provide evidence of the vendor's ability and willingness to commit capital to the City's proposed issuances.
6. Identify average daily municipal bond inventory amounts for 2013, 2014 and 2015 separately for fixed rate debt.
7. Discuss the vendor's marketing and distribution capabilities for municipal bonds. Does your firm specialize in any unique distribution channels? How would this benefit the City?
8. Provide anticipated compensation levels for the transaction, including takedown by maturity and all other costs and expenses. Include any costs or fees associated with any alternative financing strategies described. While not directly impacting scoring, only reasonable levels of compensation will be considered during negotiations if vendor is selected.
9. Identify the law firm or counsel vendor would select as underwriter's counsel.

3.5 RFQ Dates – Solicitation Timetable

The RFQ activities will take place at the dates and times listed below. However these times and dates are subject to change at the discretion of the City. Any change to the schedule will be identified in an addendum to this RFP.

RFQ issuance	August 21, 2015
Deadline for submittal of written questions, comments, and objections	August 28, 2015 at 2:00 PM
Deadline for submittal of SOQ	September 8, 2015 at 11:00 AM

Selection Committee meetings

September 2014

Selection of Qualified Vendors

September 2014

3.6 Selection of Qualified Vendors

The City will appoint a Selection Committee of three (3) or more people to evaluate the SOQs. The City reserves its right unto the Selection Committee to take all steps it deems necessary to evaluate a Bidder's qualifications. Among other things, the Committee may: make additional inquiries of the Bidder and any other Person; request additional information; obtain credit reports; and/or contact other local governments that have entered into contracts with the Bidder. A Bidder that does not provide the information requested by the Committee may be disqualified from this Solicitation.

After the City receives SOQs from interested vendors, the Committee shall review each SOQ to determine whether each vendor is qualified, responsive, and responsible. Pursuant to Section 2-811 of the City's Code, a responsible Bidder "means a person who has the capacity in all respects to fully perform the contract requirements and has the integrity and reliability that will ensure good faith performance." Under the City Code, a responsive Bidder "means a person who has submitted a bid or proposal that conforms in all material respects to the invitation to bid. . . ." The City reserves its exclusive right unto the Selection Committee to determine whether a Bidder is qualified, responsive, and responsible.

Selections will be made based upon the evaluation criteria specified below. The scores will guide the Selection Committee in making its selection. However, the City reserves the right unto the Selection Committee to select firms other than those who receive the highest relative scores, based on considerations associated with composing an overall underwriting pool that best serves the City's underwriting needs.

3.7 Selection Criteria

	<u>Maximum Points</u>
Experience and Project Team Assigned	35
Plan of Finance and Marketing Strategy	30
Credit Discussion and Rating Agency Approach	25
Alternative Structures/Products and Commitment to Underwrite	10

Section 4- FORMS

Vendors are required to complete and submit the five (5) forms included in this section of the RFQ. A vendor may be disqualified if its forms are not completed fully and in compliance with the instructions contained herein.

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FORM 1

**SWORN STATEMENT PURSUANT TO SECTION 287.133(3)(a),
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to the City of Hialeah, Florida, by _____

(print individual's name and title)

For _____
(print name of entity submitting sworn statement)

whose business address is _____

and (if applicable) its Federal Employer Identification Number (FEIN) is _____

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____.)

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1) (g), **Florida Statutes**, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1) (b), **Florida Statutes**, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.
4. I understand that an "affiliate" as defined in Paragraph 287.133 (1) (a), **Florida Statutes**, means:
1. A predecessor or successor of a person convicted of a public entity crime; or
 2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133 (1) (e) Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (indicate which statement applies.)

____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before an Administrative Law Judge of the State of Florida, Division of Administration Hearings and the Final Order entered by the Administrative Law Judge determined that it was not in the public interest to place the person or entity submitting this sworn statement on the convicted vendor list. (attach a copy of the final order)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

(signature)

Sworn to and subscribed before me this _____ day of _____, 2014.

Personally known _____

OR Produced Identification _____ Notary Public - State of _____

(Type of identification)

(Printed typed or stamped
commissioned name of notary public)

FORM 2
NONCOLLUSION AFFIDAVIT

State of _____

County of _____)

[Print name of affiant]

being first duly sworn, deposes and says that:

- (1) He is _____ [title] of _____
[name of vendor], the vendor that has submitted the attached statement of qualifications (SOQ):
- (2) He is fully informed respecting the preparation and contents of the attached SOQ and of all pertinent circumstances respecting such SOQ:
- (3) Such SOQ is genuine and is not a collusive or sham SOQ;
- (4) Neither the vendor nor any of its officers, partner, own agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed directly or indirectly with any other vendor, firm or person to submit a collusive or sham SOQ in connection with the RFQ for which the attached SOQ has been submitted or to refrain from submitting a SOQ in connection with such RFQ, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other vendor, firm or person, to secure through any unlawful agreement or any advantage against the **City of Hialeah** or any person interested in the proposed RFQ.

(Name)

Subscribed and sworn to before me

(Title)

This _____ day of _____, 2014

Title _____

(Title)

My commission expires _____

FORM 3
DRUG-FREE WORKPLACE

The undersigned vendor (firm) hereby certifies that

_____ does:
(Name of Company)

1. Publish a statement notifying employees that the unlawful manufacturing, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the work place, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee that would be engaged in providing the services that are described in the RFQ, a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employee that, as a condition of working on the contractual services that are under consideration, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

Signature of Proposer's Agent

Print Name of Proposer's Agent

Date _____

FORM 4

ACKNOWLEDGEMENT OF ADDENDA

The vendor, _____ [print vendor's name], hereby acknowledges the receipt of the following addenda, which were issued by the City and incorporated into and made part of this RFQ. The vendor acknowledges that it is solely responsible for ensuring that it is aware of, and in receipt of, all addenda.

ADDENDUM NUMBER	DATE RECEIVED	PRINT NAME OF VENDOR'S AGENT	TITLE OF VENDOR'S AGENT	SIGNATURE OF VENDOR'S AGENT

FORM 5

CERTIFICATION TO ACCURACY OF SOQ

Vendor, by executing this form, hereby certifies and attests that all forms, affidavits and documents submitted to the City in support of vendor's statement of qualifications (SOQ) are true and accurate. Failure by the vendor to attest to the truth and accuracy of such forms, affidavits and documents shall result in the SOQ being deemed non-responsive and such SOQ will not be considered.

The undersigned individual, being duly sworn, deposes and says that:

1. He/She is _____ [insert title of vendor's agent] of _____ [insert name of vendor], the vendor, which is submitting the attached SOQ;
 2. He/She is fully informed respecting the preparation and contents of the attached SOQ and of all forms, affidavits and documents submitted in support of such SOQ;
 3. All forms, affidavits and documents submitted in support of this SOQ are true and accurate;
 4. No information that should have been included in such forms, affidavits and documents has been omitted;
- and

[THIS SPACE INTENTIONALLY LEFT BLANK]

FORM 5
CERTIFICATION TO ACCURACY OF SOQ
(CONTINUED)

5. No information that is included in such forms, affidavits or documents is false or misleading.

Signature of Vendor's Agent

Print Name of Vendor's Agent

Title of Vendor's Agent

Date

Witness my hand and official notary seal/stamp at _____ the day and year written above

STATE OF _____)
COUNTY OF _____) SS:

BEFORE ME, an officer duly authorized by law to administer oaths and take acknowledgments, personally appeared _____ [insert name of vendor's agent] as _____ [insert title of vendor's agent], of _____ [insert name of vendor], an organization authorized to do business in the State of Florida, and acknowledged and executed the foregoing document as the proper official of _____ for the use and purposes mentioned in it and affixed the official seal of the corporation, and that the instrument is the act and deed of that corporation. He/she is personally known to me or has produced _____ as identification.

IN WITNESS OF THE FOREGOING, I have set my hand and official seal in the State and County aforesaid on this _____ day of _____, 2014.

NOTARY PUBLIC

My Commission Expires: